

**IN THE MATTER OF the *Libel and Slander Act*,
R.S.O. 1990, c. L.12**

AND IN THE MATTER OF an intended action

BETWEEN:

LANDMARK EDUCATION CORPORATION

Plaintiff

- and -

**NOW MAGAZINE, NOW COMMUNICATIONS INC.,
MICHAEL HOLLETT, ALICE KLEIN, ENZO DI MATTEO and KEVIN GARVEY**

Defendants

NOTICE

TAKE NOTICE that pursuant to section 5(1) of the *Libel and Slander Act*, R.S.O. 1990, c. L.12, the plaintiff hereby complains of a false and malicious publication by the defendants concerning it in the April 20-26, 2000 issue of NOW Magazine entitled "**In the grip of the therapy tough-guys**" (the "Article"), the posting of the Article on the web site of NOW Magazine and such further republication of the Article on such further dates as the plaintiff is currently unaware. A copy of the Article, containing the words complained of, is attached as Schedule "A" hereto.

Without limiting the generality of the natural and ordinary meanings and/or innuendoes in the Article, the plaintiff says that the Article maliciously was intended, meant and was understood to mean, *inter alia*:

- (a) that the plaintiff engages in the mind control of its students using techniques which include:
 - (i) environmental, information, language, food and sleep control;
 - (ii) deprivation;
 - (iii) confinement; and
 - (iv) those employed by the North Koreans in the 1950's on U.S. prisoners of war;
- (b) that the purpose, design and content of the services provided by the plaintiff are similar to those of EST in the 1970's;
- (c) that the plaintiff subjects its students to physical confinement;
- (d) that the plaintiff exercises control over their students by intentionally manipulating the temperature of the rooms in which sessions are held;
- (e) that the plaintiff endangers its students by depriving them of drugs prescribed to them by physicians;
- (f) that the services provided by the plaintiff are harmful to the psychological well-being of its students;
- (g) that the plaintiff's students are not provided with an informed consent in relation to the sessions for which they are enrolled;
- (h) that the services provided by the plaintiff utilize confrontational methods to break down the way a person thinks;

- (i) that as a result of the above, separately and cumulatively, people ought not to attend the seminars offered by the plaintiff.

The Article and the innuendoes of and concerning the plaintiff are malicious, false, unfair and seriously defamatory of the reputation of the plaintiff. The Article was intended by the defendants to harm the plaintiff within the communities in which it offers its services.

We hereby demand that you retain in safekeeping all earlier drafts of the Article, all notes and tapes of all interviews and all other notes, documents, computer documents, tapes and other materials upon which the Article was based.

AND TAKE NOTICE that this Notice is given to you pursuant to the provisions of the *Libel and Slander Act*, R.S.O. 1990, c. L.12. The plaintiff hereby demands that a full and fair apology and retraction of the Article, in the form attached hereto as Schedule "B", be published in the next issue of NOW Magazine, as conspicuously as the Article, all as provided for by the *Libel and Slander Act*.

The plaintiff hereby gives notice pursuant to the *Courts of Justice Act* that it will be claiming for pre-judgment interest from the date of this Notice to the date of judgment.

DATED at Toronto this 30th day of May, 2000.

The Plaintiff by its solicitors:

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TO: **NOW MAGAZINE**
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AND TO: **NOW COMMUNICATIONS INC.**
189 Church Street
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AND TO: **MICHAEL HOLLETT**
c/o NOW Magazine
189 Church Street
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AND TO: **ALICE KLEIN**
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AND TO: **KEVIN GARVEY**
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SCHEDULE "A"

alta. vista: SHOPPING
 smart shopping starts here



newsfront

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In the grip of the therapy tough-guys

I'm pretending to be a client of the Landmark Forum, but I get the shakes so bad I can't take it

By ENZO DI MATTEO

As seminar rooms go, you can't get more nondescript than the eighth-floor number at the Front Street offices of Landmark Education Corp. The walls are off-white and entirely blank. The carpeting is grey. The ceiling hangs low. The only natural light to speak of sneaks in around the edges of the vertical blinds (again grey) drawn tightly over three large windows on the far wall.

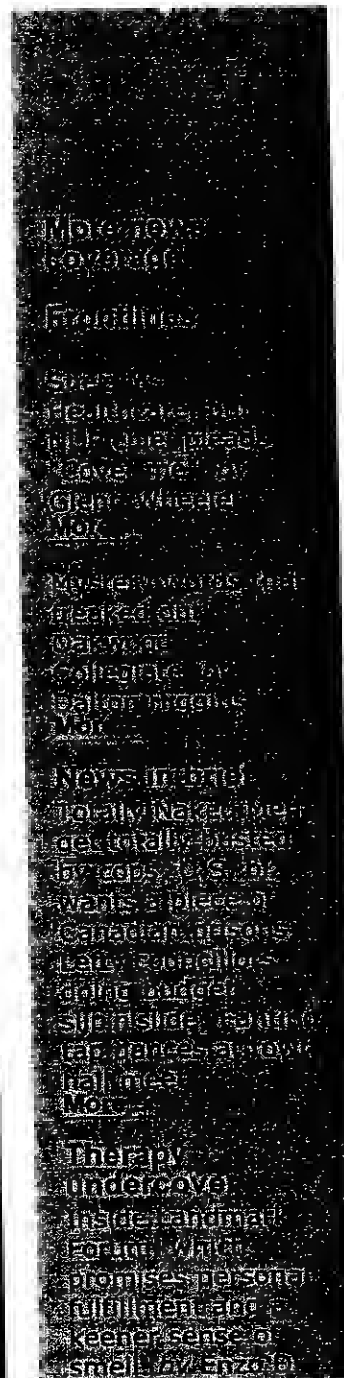
The close confines are enough to make your anxiety level rise with each flicker of the fluorescent

Number of offices worldwide: 59

Offices in Canada: 3

Number who take the Forum annually: up to 80,000

Number who've taken the Forum since 1985: almost



above.

It's here that 150 of us will be ensconced to take part in the the Landmark Forum, a marathon self-help seminar that promises everything from better health to "breakthrough" that will transform our lives.

500,000
Gross annual revenue in 1998: \$54 million (U.S.)
Number of paid staff: about 420
Volunteers: 7,500
Cost of Landmark courses: between \$425 and \$2,000 (Cdn)
Benefits promised by Landmark:
better health, weight loss, increased confidence
Sources: Landmark Education Corporation

That it has its seeds in EST the controversial 70s-era seminars developed by self-help guru Werner Erhard, has made it the subject of much controversy in the U.S. and abroad, where its critics have called the Forum everything from a money-making scheme to an exercise in mind control.

Floating cocoon

I've been sitting here for almost three hours now, feeling like I'm floating in a cocoon above the waterfront. And someone's dicking around with the heat.

One minute it's hot, the next you can hear the whir of the air conditioner, even

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 Behind bars in the capital of the new world, a new way of thinking has taken hold. [More](#)
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though it's freezing outside. People are constantly taking off and putting on clothes.

We must stay in this room at all times during the Forum, virtually locked up from 9 am to midnight over the next three days, in order to attain the coveted and ever-elusive "result."

It's a roller-coaster ride. More than a few will want to jump off. When I try, I discover it's not so easy to walk away.

In its 70s heyday, EST, for Erhard Seminar Training, attracted thousands of adherents, including celebrities, to its confrontational and controversial group encounters.

After a bout of negative publicity, EST founder Erhard, aka John Paul Rosenberg, decided to sell his self-help "technology" to a group of his employees in 1991. Landmark Education Corporation was born.

Today, with his brother Harry Rosenberg at the helm, the company boasts 59 offices in 16 countries and annual gross revenues in 1998 of about \$54 million (U.S.).

Landmark's "curriculum for living," a four-part set of self-help courses, starts at \$425 a pop. The Landmark Wisdom Unlimited Program, a year-long course in which participants see their life



as "a work of art," goes for \$2,000.

The Forum is described in company literature as a "philosophical inquiry... (that) allows people who are successful... to create something truly extraordinary.

"A new freedom and spontaneity in your actions... enhanced vitality... heightened performance" are promised.

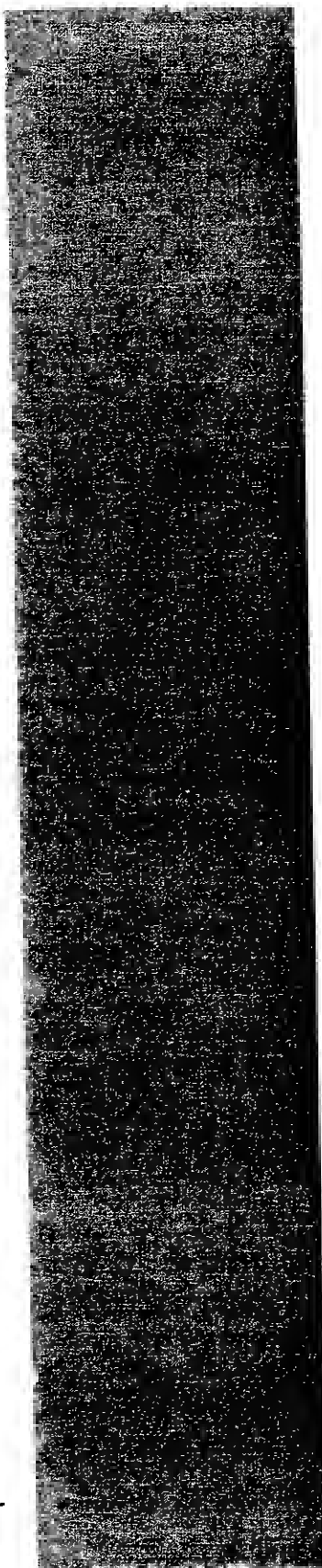
Read the finer print on the Landmark Web site and you discover that the "unexpected" benefits include "an ability to control weight."

Our Forum leader will tell us that past participants have reported relief from persistent headaches and backaches -- poof, just like that. Their food tastes better, they can sleep fewer hours and wake up feeling more refreshed.

Max Konigsberg, a Montreal businessman whose glowing testimonial to the Forum appears in Landmark brochures, says the Forum helped him become reconciled with his dead father. For him, the moment of self-realization came as if through a cloud.

"Everybody that I've had an association with has come out with a better understanding of who they are," he says.

Landmark's Toronto offices opened in 94. There are also locations in Vancouver and Montreal. In the U.S., where Landmark has 33



locations, the Forum has played to very mixed reviews.

"Soul training" is the way one daily described the Forum. Other self-help experts, psychologists and psychiatrists among them, are less flattering.

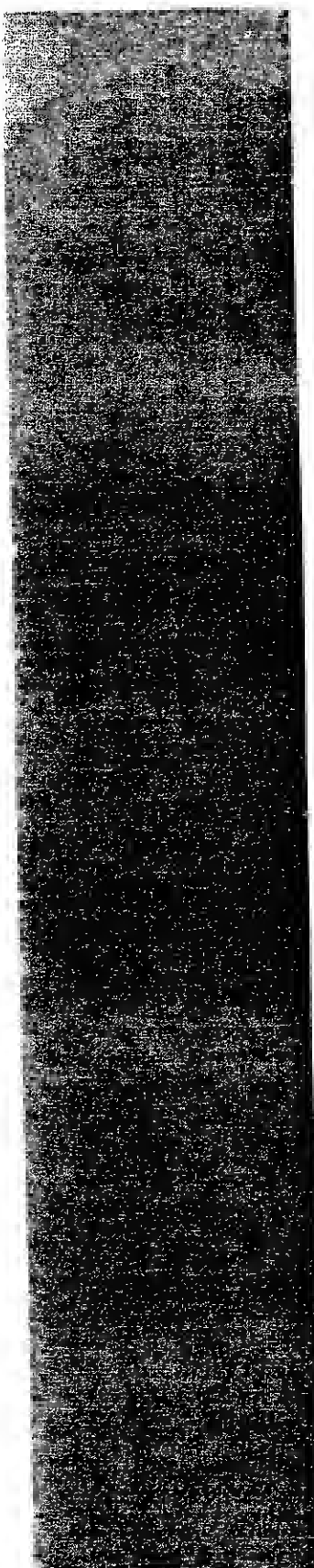
Kevin Garvey, a former EST disciple and counsellor who's been studying groups like the Forum for 25 years, says the techniques at the "conceptual core" of the Forum are similar to the thought reform techniques employed by North Koreans in the 1950s on U.S. prisoners of war. It's a charge rejected as "ridiculous" by a Landmark spokesperson.

Extreme outcome

But, says Garvey, "there are (similar) patterns of information control, language control, disorientation through altering food and sleep patterns, (and) the manipulation of the environment through praise and discouragement. The outcome for some people is very extreme."

Our Forum leader is Roger Armstrong, a tough-talking Robert Duvall look-alike with a Texas accent and Cheshire-cat grin.

He graduated from Yale divinity school in '64 and



can quote Socrates and ancient Hindu teachings lickety-split.

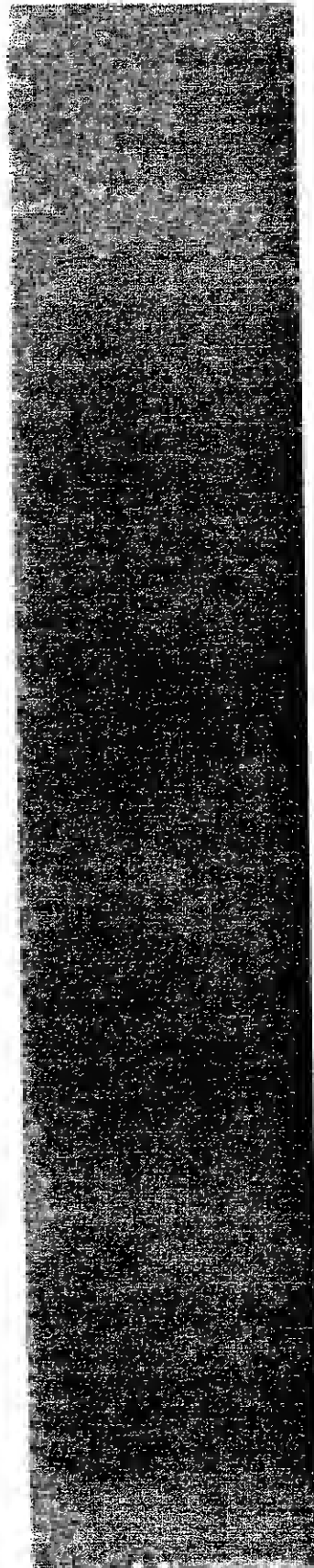
He's read the goals set out in our registration forms, and tells us we're shooting way too low. He figures there's gotta be another Galileo in the room. Ah. The infinite possibilities. But first, the rules.

No drugs, not even an aspirin, or alcohol for the duration. That doesn't mean you can't take prescription drugs, but Forum organizers prefer you don't, because "drugs and medications interfere with fully participating in and receiving all the value available to you." One woman tells me she was only grudgingly allowed permission to take her asthma medication after she threatened to leave, period.

There'll be no notetaking. Landmark, though, does reserve the right to record the proceedings for use in training Forum leaders. When you sign up, you also waive the right to sue.

You can leave the room. But if you do, the promised "result" cannot be guaranteed.

There will be three half-hour breaks a day and a one-and-a-half-hour break for dinner, but with all the "assignments" and "exercises" we're told to do, there's hardly time to go to the washroom, let alone eat. Don't be late getting back from the breaks. You may find the door locked and have to explain yourself. There's



no clock on the wall, but time -- tick, tick, tick -- is of the essence.

Wild tangents

Welcome to the Landmark Forum. Are you willing to "enrol in the possibility of being"? Armstrong wants to know.

Here he goes again on one of his incomprehensible tangents. "This is one," he says, holding up his index finger. "Can you see two?" This is supposed to be an exercise in making distinctions, seeing how the space around objects defines matter. See what I mean?

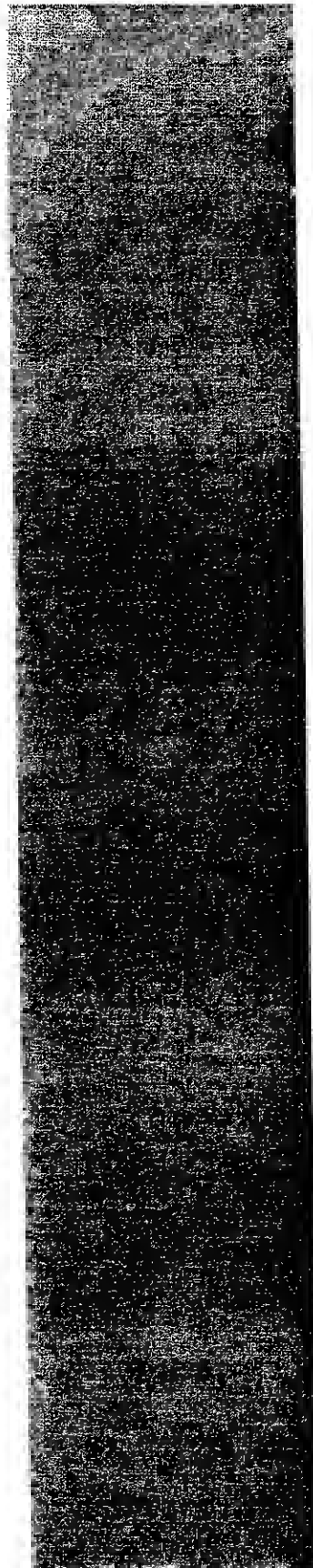
It's at these times that he'll say something like, "Did you know that Mahatma Gandhi beat his wife? It's true."

Sprinkle in a few diagrams on the board to make some point about how all our lives are caught up in a vicious circle, and -- presto -- we're beginning to unlock the keys to "living more powerfully."

I'm not getting "it," but judging by the nodding, others in the room seem to be.

The Forum, we will learn, is not about what we know, but about letting go of what we know. The confusion is hypnotic. Slowly, the psychological springs that keep you grounded begin to loosen. Ping.

We're encouraged to go up



to the microphones and "share" our feelings. This is a pretty tame crowd, so Armstrong offers the testimonials of past Forum participants to get everyone's juices flowing.

Measly problems

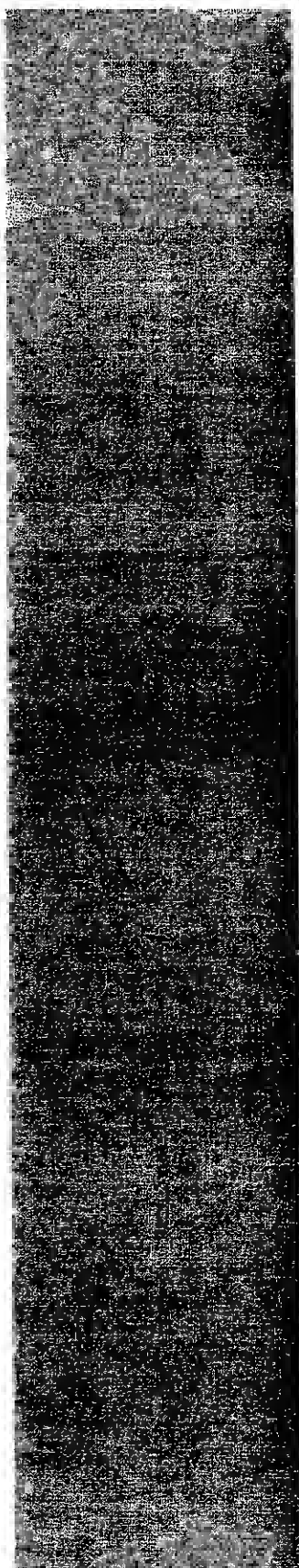
The story of the Vietnam vet haunted by the face of the Viet Cong soldier he offed in a foxhole long ago draws gasps. "These things happen, people," Armstrong says, his voice rising.

It all has the effect of creating a strange synergy in the room. The sadder the tales -- the mother-son, father-daughter schism is a recurring theme -- the longer the lines at the mikes.

You begin to think, "Compared to my measly problems..." And before you know it, you're raising your hand in response to questions, telling how your father neglected you, your mother didn't love you, you screwed around on your partner.

Deep wounds will be exposed. There'll be laughing, crying, all of it in front of a roomful of perfect strangers.

We're barely two hours in, and it seems rather sudden, but the dark-haired woman has already had a "breakthrough."



"I've always considered myself a very honest person, but now I realize I've been a complete liar," she says. We clap to "acknowledge" her "commitment."

Art's at the mike. He's still stuck on what Armstrong said about people being motivated to do things not because they believe in them, but because they want to "look good."

As in: Martin Luther King Jr. did what he did to look good. So did Mother Teresa. Ditto for Gandhi.

So you mean those who protested the Vietnam war were doing it to look good? "Yep," says Armstrong without elaborating. "Are we clear?" Art's still not getting "it."

"Trust me," Armstrong says.

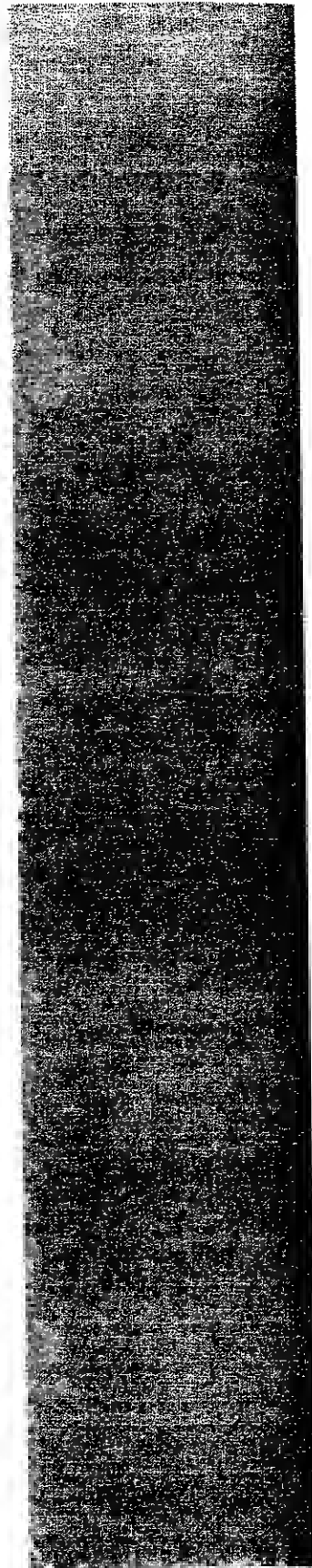
Another woman is not so sure she wants to. "I certainly don't help old people because I want to look good. I do it because I care."

Losing grip

"No, you don't," says Armstrong.

"Look, people, stick with me here. All will be revealed in due time." Armstrong says this mostly when he's losing his grip on the group.

He reminds us that we must forget the past. This will be difficult to grasp for the woman who tells us



she was sexually abused as a child.

We'll be encouraged during breaks to "complete" with people we've been "inauthentic" with. And don't forget to invite them to "graduation" night Tuesday.

Anthony has a more practical concern. He has to go to the bathroom and wants to know if the next break is really two hours away. Armstrong moves the time up another hour. But then we break at the prescribed time anyway.

The leader giveth and the leader taketh away.

Birds can't see air, Armstrong tells us. Fish can't see water. The stars are out during the day, but we don't see them because they're wrapped in our unconsciousness.

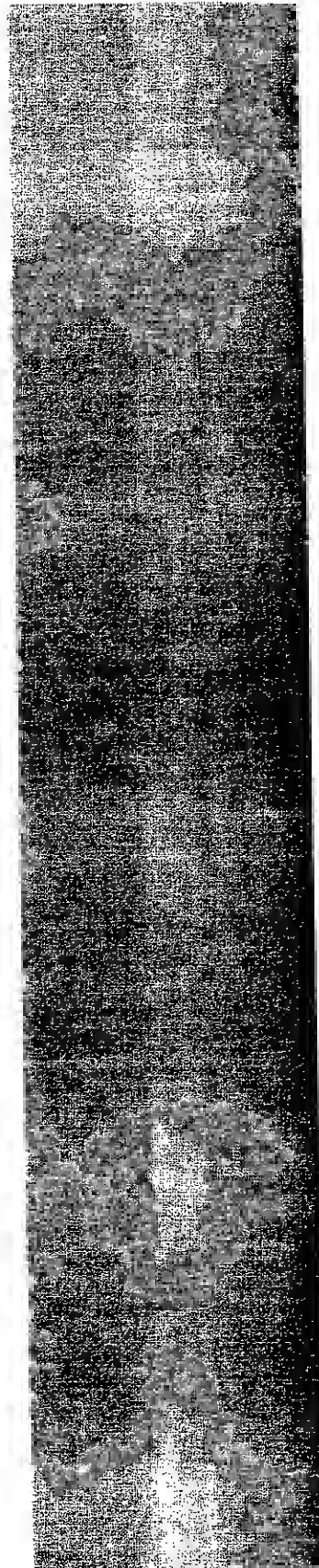
That's because we're "already always listening" through that filter in our head. Got it? Are we clear? Heads bob.

I just want to scream. The confusion is disorienting. The air conditioner spins overhead.

During a break, Keith comes up to "share." He seems a little antsy.

"I like who I am," he says. "I hope I'll be able to recognize myself when I walk out the door." I won't be seeing Keith at "graduation."

Its critics aside, Landmark



has some influential people in its corner, including Raymond D. Fowler, executive vice-president and CEO of the American Psychological Association.

Fowler, on a leave of absence, is unavailable and did not respond to an e-mail request for comment.

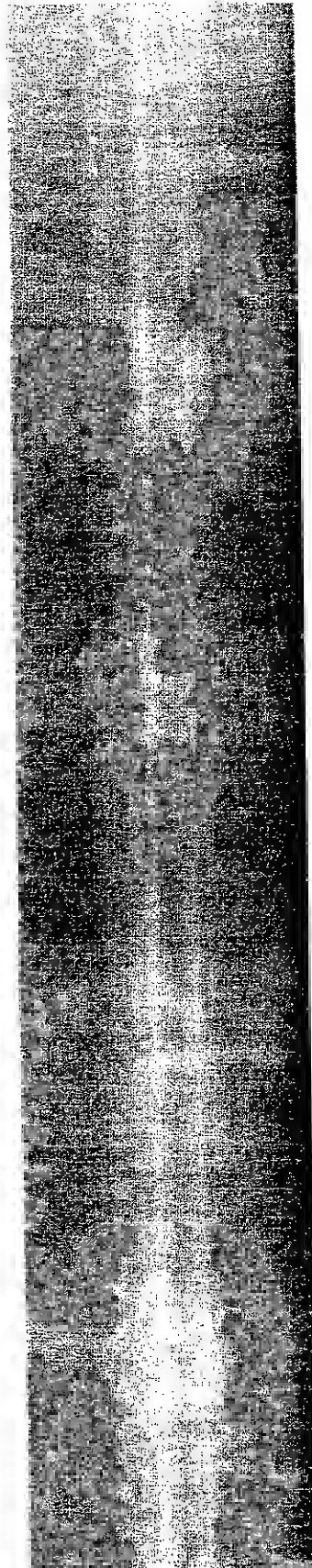
But a letter he wrote for Landmark after sitting in on a Forum last May concludes that "there was nothing in the Forum, either in its content or the way it was conducted, that could be considered harmful. It was not much different in depth, intensity and self-disclosure than the conversations among close friends or family might be."

Daniel Yankelovich, a Connecticut-based researcher, conducted a survey of 1,300 Forum participants. Seven out of 10 he surveyed found the Forum to be "one of their life's most rewarding experiences."

Others used by Landmark to pump its credentials don't want to be drawn into the controversy.

Harvard University had Landmark sign an agreement to stop distributing publicly a glowing marketing study of the Forum by two of its business school professors.

Some in the mental health field say the idea pushed by marathon self-help groups like the Forum --



that you can purchase a "peak," or psycho-shop for prepackaged life experiences -- is more about making money than human growth.

And for some, they say, the psychological fallout can be harmful.

Carol Giambaivo, director of the American Family Foundation recovery program based in Fort Lauderdale, Florida, was in EST for five years. She says people who sign up for the Forum are not making an informed choice.

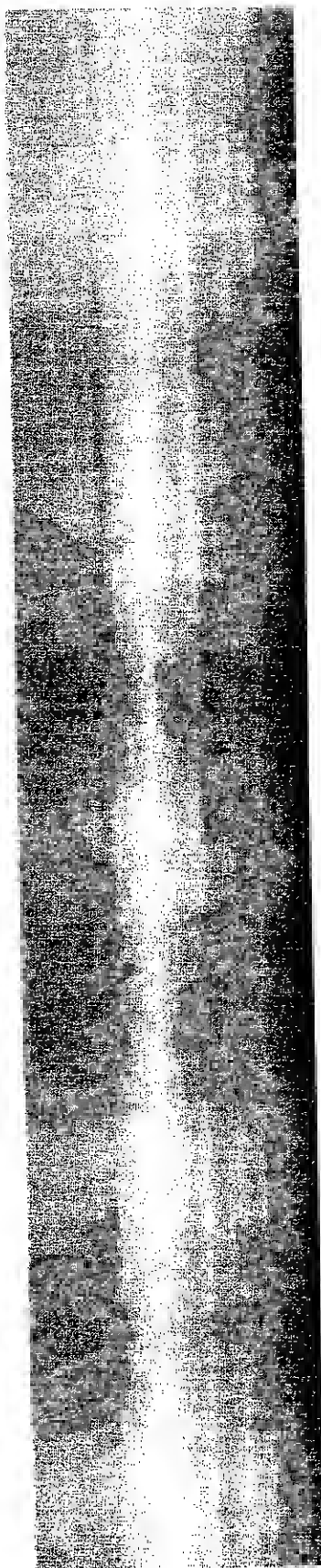
"They don't tell you they're going to be using confrontational methods to break down the way you're relating to reality. What they're trying to do is attack the way you think."

Rick Ross, an intervention specialist from Phoenix, Arizona, says once people are in the Forum circle, it's very difficult to get out.

"They say you can leave when you want, but there's so much peer pressure and bombardment that it's very difficult to walk out."

Kay, a former Forum participant in Toronto, knows this all too well. She says Forum staffers pressured her every day with phone calls, trying to get her to sign up for the advanced course.

"What they were really pushing was for you to get your friends to sign up," she says.



Leo Murphy, a psychiatrist and expert in group psychotherapy at U of T who has recently treated two patients who experienced what he describes as mental fallout after the Forum, says group encounters aren't for everyone.

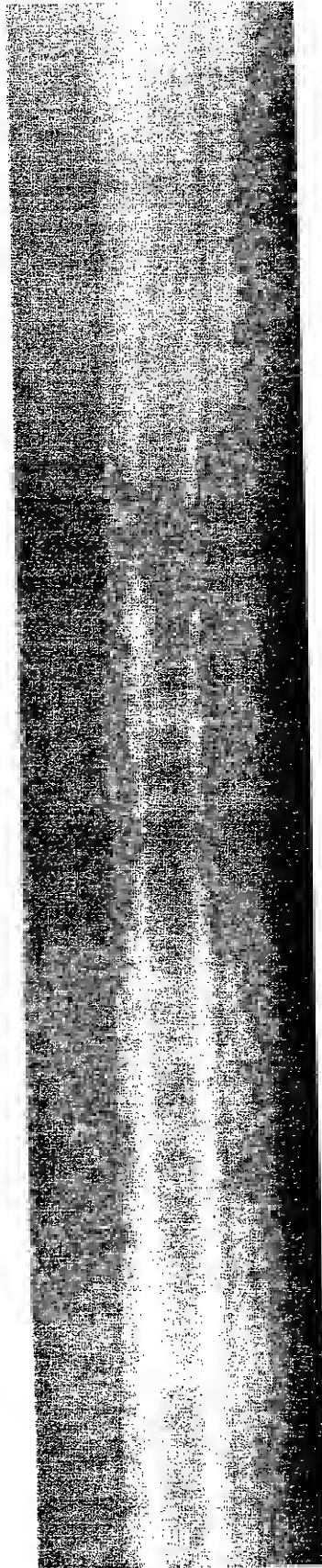
"When people get into groups, they generally want to belong," Murphy says. "It's very seductive. It gives people a chance to idealize a goal that they can reach, (but) somehow or other there's always a devaluation of the others who have not 'seen' yet."

The "milieu control," use of "loaded language" and "organized peer pressure," former EST disciple Kevin Garvey says, are all part of "a patterned exercise designed and orchestrated to undercut any comprehensible discussion, all behind the facade of being this profound self-exploration."

New Jersey-based psychiatrist Edward Lowell, whose experience includes a residency at a U.S. army hospital where he was trained in "thought reform" techniques, disagrees.

He has sat in on the Forum and says he "has seen nothing that would lead me to the conclusion that the Forum attempts to engage in any kind of thought modification whatsoever." Lowell acts as a consultant to Landmark from time to time.

Landmark has been quick to sue its critics --



sometimes too quick.

A \$10-million libel suit filed against Elle Magazine with some fanfare in '98 was ultimately dropped without the apology Landmark was looking for.

It takes the company's lawyer, Art Schreiber, no time to fax a letter to NOW threatening legal action.

Mark Kamin, Landmark's fast-talking PR head, has as many questions as I do when he calls from Houston. He's tape-recording our conversation.

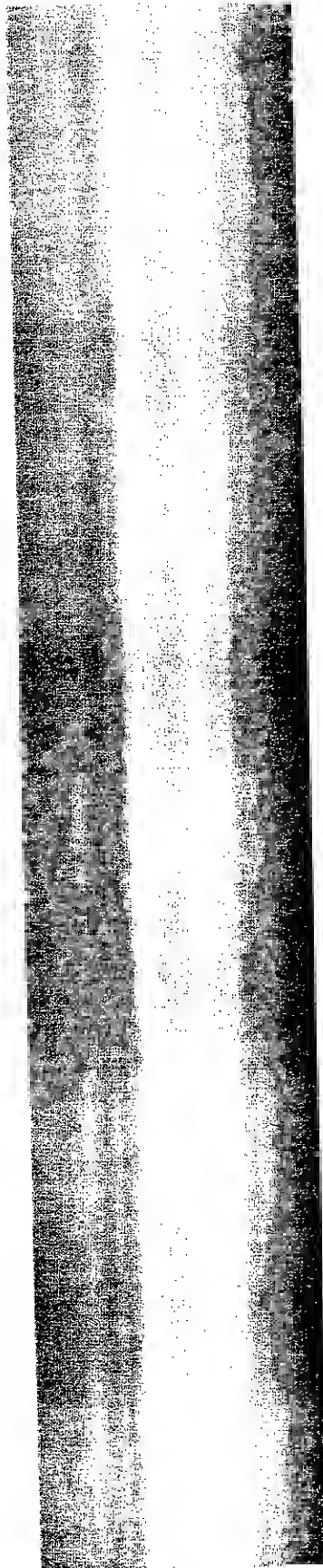
What of those who've reported breakdowns after participating in the Forum? Kamin says they're lying, out to make a buck.

"You know there are people who say, 'You hit me from behind in your car,' even though they stopped in the middle of the freeway."

Kamin says Landmark takes pains to screen people. The Forum's registration form itself warns that the experience may be "difficult and unsettling," and that people with a history of mental illness may be more susceptible to the stress.

The "screening" Kamin talks about is done mostly over the telephone by a staff person who relies on a manual to make assessments.

Nothing



nefarious

Kamin does get defensive at times, but makes no apologies for the "high-pressure" sales pitch some past Forum participants have reported. He says Landmark is a for-profit company that's in business to stay in business and has something valuable to sell.

"It's not some nefarious, weird thing going on here," he says.

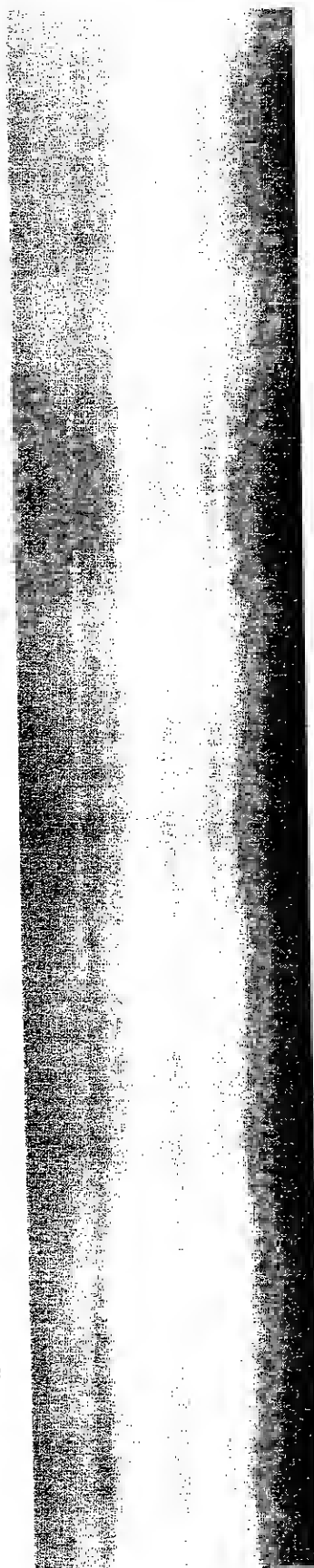
I'm tired. I'm hungry. I'm feeling like someone has taken a trowel and scraped the top off my head.

It's Friday night, some 12 hours into this odyssey, and I've got a major case of the heebie-jeebies.

My plan was to check out on Sunday for my uncle's 50th-wedding- anniversary bash. Larry Pearson, Armstrong's second-in-command, has already told me to send flowers or a gift instead, and to make plans to be here. He says this standing 2 inches away from my face.

But the control is proving too much for me.

I guess I'm not willing to "commit to the possibility of being." The further away I get from Landmark's offices, the faster I'm walking. I decide not to return. I get a phone call Saturday morning. It's Pearson, and he's pissed. "What happened? You disappeared."



I unload. He backs down.
He could actually lose this
customer.

He says he would
"welcome" me back. But I
have to be there in half an
hour. Tick. Tick.

The next time I see
Pearson, it's at
"graduation" night at the
Colony Hotel, but he's
ignoring me.

The grand ballroom is
alight. The high ceiling,
crystal chandeliers and
deep-blue velvet drapes
feel like heaven compared
to that cocoon of a space
on Front Street.

The "graduates" have
brought friends and family
to hear about their
"breakthroughs," which
are all pretty banal

The aspiring athlete's is
none too clear. We all
applaud anyway.

Roger Armstrong is
onstage telling the
assembled that nothing
would make the
"graduates" happier than
for their guests to sign
up for the next Forum.

"It will make their hearts
leap up with joy," he says,
sighing audibly and
looking into the distance
as if some wonderful wave
of inspiration is washing
over him.

enzom@nowtoronto.com

NOW APRIL 20-26, 2000 | 19

SCHEDULE "B"

APOLOGY TO LANDMARK EDUCATION CORPORATION AND RETRACTION

In its April 20-26, 2000 issue, NOW Magazine made reference to Landmark Education Corporation and quoted certain individuals who were critical of alleged practises of Landmark. NOW Magazine acknowledges that these criticisms were without foundation, were false and were defamatory of Landmark. NOW Magazine also acknowledges that it's sources, including Mr. Kevin Garvey, provided the magazine with false information relating to Landmark.

NOW Magazine apologizes to Landmark Education Corporation and its officers and employees for any harm or embarrassment caused to them.